

EXPLANATORY STATEMENT

Issued by the authority of the Prime Minister

Parliamentary Business Resources Act 2017

*Parliamentary Business Resources (Former Prime Ministers)
Amendment Determination 2019*

The *Parliamentary Business Resources Act 2017* (the Act) and the *Parliamentary Business Resources Regulations 2017* (the Regulations) establish a framework for providing resources to parliamentarians in respect of their parliamentary business. Certain provisions of the Act and Regulations apply to the provision of resources to former Prime Ministers.

The *Parliamentary Business Resources (Former Prime Ministers) Amendment Determination 2019* (amendment determination) is made under section 16 of the Act. Section 16 of the Act enables the current Prime Minister to determine, in writing, that former Prime Ministers are to be provided with any goods, services, premises, equipment or any other facility from time to time. The Prime Minister may impose one or more limits or other conditions on the resources provided to a particular former Prime Minister, a class or former Prime Ministers generally.

The amendment determination amends the *Parliamentary Business Resources (Former Prime Ministers) Determination 2017* to replace the Schedule to support the provision of goods, services, premises, equipment or any other facility from time to time for the Hon Anthony (Tony) John Abbott, as a former Prime Minister having left Parliament. The amendment Determination also makes minor amendments to renumber certain Schedules and adds a provision to formalise the provision of resources for former Prime Ministers when undertaking international travel as approved by the Prime Minister in writing from time to time.

The resources provided under the amendment determination are in addition to the entitlements and resources provided to the former Prime Minister under other enactments, such as the *Members of Parliament (Staff) Act 1984*, *Parliamentary Retirement Travel Act 2002*, the *Parliamentary Contributory Superannuation Act 1948* or the *Parliamentary Superannuation Act 2004*. For convenience and transparency, the Schedules included in the *Parliamentary Business Resources (Former Prime Ministers) Determination 2017* outline the various resources provided to each former Prime Minister including resources provided outside the framework.

Details of the amendment determination are set out in [Attachment A](#).

The Act specifies no conditions that need to be satisfied before the power to make the amendment determination may be exercised. The Prime Minister consulted the former Prime Minister, the Hon Tony Abbott, prior to finalising the amendment determination. Resources provided to former Prime Ministers are entirely at the discretion of the Prime Minister.

The amendment determination is a legislative instrument for the purposes of the *Legislation Act 2003* (Legislation Act). However, subsection 16(3) of the Act provides that this determination is not subject to disallowance under section 42 of the Legislation Act.

The amendment determination commences the day after it is registered.

Details of the *Parliamentary Business Resources (Former Prime Ministers) Amendment Determination 2019*

Section 1 – Name

This section provides that the name of the instrument is the *Parliamentary Business Resources (Former Prime Ministers) Amendment Determination 2019*.

Section 2 – Commencement

This section provides that the instrument commences on the day after registration.

Section 3 – Authority

This section provides that the making of the instrument is authorised by section 16 of the *Parliamentary Business Resources Act 2017*.

Section 4 – Schedule

Section 4 provides that the instrument set out in the Schedule is amended in accordance with the Schedule.

Schedule 1—Amendments

Schedule 1 provides that the *Parliamentary Business Resources (Former Prime Ministers) Determination 2017* be amended.

Item 1 – Paragraph 5(1)(f)

This item repeals and substitutes paragraph 5(1)(f) of the *Parliamentary Business Resources (Former Prime Ministers) Determination 2017* to provide for resources to be provided to the Hon Anthony (Tony) John Abbott, subject to any condition, as specified in the new Schedule ‘Schedule—The Hon Anthony (Tony) John Abbott’.

Item 2 – Schedule—The Hon Paul John Keating (at the end of the table)

This item adds new Item 16 to the Schedule—The Hon Paul John Keating in the primary determination to formalise the provision of resources for Mr Keating when undertaking international travel as approved by the Prime Minister in writing from time to time.

This item is intended to enable the Prime Minister to approve the former Prime Minister to travel overseas from time to time in writing, such as via a letter, and for the costs of the travel to be covered such as those prescribed in section 35 of the Regulations. The written approval from the Prime Minister may specify or otherwise vary the resources, international travel expenses and other arrangements available to the former Prime Minister in undertaking the approved international travel.

Item 3 – Schedule—The Hon John Winston Howard OM AC (at the end of the table)

This item adds new Item 13 to the Schedule—The Hon John Winston Howard OM AC in the primary determination to formalise the provision of resources for Mr Howard when undertaking international travel as approved by the Prime Minister in writing from time to time.

This item is intended to enable the Prime Minister to approve the former Prime Minister to travel overseas from time to time in writing, such as via a letter, and for the costs of the travel to be covered such as those prescribed in section 35 of the Regulations. The written approval from the Prime Minister may specify or otherwise vary the resources, international travel expenses and other arrangements available to the former Prime Minister in undertaking the approved international travel.

Item 4 – Limited renumbering of Schedule—The Hon Kevin Michael Rudd

This item renumbers the Item numbers in Column 1 of the Schedule—The Hon Kevin Michael Rudd to correct the duplication of Item 13 (second occurring).

Item 5 – Schedule—The Hon Kevin Michael Rudd (at the end of the table)

This item adds new Item 22 to the Schedule—The Hon Kevin Michael Rudd in the primary determination to formalise the provision of resources for Mr Rudd when undertaking international travel as approved by the Prime Minister in writing from time to time.

This item is intended to enable the Prime Minister to approve the former Prime Minister to travel overseas from time to time in writing, such as via a letter, and for the costs of the travel to be covered such as those prescribed in section 35 of the Regulations. The written approval from the Prime Minister may specify or otherwise vary the resources, international travel expenses and other arrangements available to the former Prime Minister in undertaking the approved international travel.

Item 6 – Limited renumbering of Schedule—The Hon Julia Eileen Gillard AC

This item renumbers the Item numbers in Column 1 of the Schedule—The Hon Julia Eileen Gillard AC to correct the duplication of Item 13 (second occurring).

Item 7 – Schedule—The Hon Julia Eileen Gillard AC (at the end of the table)

This item adds new Item 22 to the Schedule—The Hon Julia Eileen Gillard AC in the primary determination to formalise the provision of resources for Ms Gillard when undertaking international travel as approved by the Prime Minister in writing from time to time.

This item is intended to enable the Prime Minister to approve the former Prime Minister to travel overseas from time to time in writing, such as via a letter, and for the costs of the travel to be covered such as those prescribed in section 35 of the Regulations. The written approval from the Prime Minister may specify or otherwise vary the resources, international travel expenses and other arrangements available to the former Prime Minister in undertaking the approved international travel.

Item 8 – Schedule—The Hon Anthony (Tony) John Abbott MP

This item repeals and substitutes Schedule—The Hon Anthony (Tony) John Abbott, which specifies the resources, subject to any condition, to be provided to the Hon Tony Abbott as a former Prime Minister.